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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1992

Addendum

BOLIVIA

[14 September 1992]

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I. INTRODUCTION

A. Socio-economic context

1. Bolivia is a country with an area of 1,098,000 km2 and a population density of 5.7 people per km2 located in the centre of South America. Three major ecological zones may be distinguished within its territory: high plateau, valleys and plains. The high plateau and the valleys are the home of 74.4% of the population; the other 25.6% live on the plains. The considerable size of its indigenous population is one of the features that distinguishes Bolivia from other Latin American countries. Only one-third of the population is exclusively Spanish speaking; two-thirds are bilingual, expressing themselves both in Spanish and in native languages, the two most important of which are Quechua and Aymara. The beliefs, customs and traditions of the indigenous peoples still have currency and are prevailing in some cases over the values of western culture. Instead of being a "cultural barrier", the way in which problems are approached, the taking of decisions by consensus, facilitates social participation.

2. Social indicators (see table 1) clearly reveal the current situation of Bolivian children and women, who respectively constitute 50.8% and 51% of the total population and are the social groups that are most affected because they are direct sufferers from the consequences of the crisis afflicting the country, in common with the other Latin American economies. This situation is conditioned by the foreign debt and the high rates of interest that Bolivia has to pay, which hinders investment in the productive sector, and it is compounded by the low prices for the main export commodities. For these reasons, foreign debt imposes severe restrictions on Bolivia's fulfilment of the provisions of the Convention; None the less, some progress has been made in that respect.

3. In seeking to confront the situation described, structural adjustment measures were taken from 1985 onward in the attempt to stabilize the economy, but at a high social cost, the brunt being borne mainly by the low-income sectors. Despite the efforts made, these factors have continued to give rise to a situation of crisis, as is indicated by the indicators for health, education etc. to be given in the course of the report.

Table 1

Social indicators

1. Demographic indicators

Total population	6,344,396	(1)
Juveniles (10-19 years old)	1,654.800	(2)
Schoolchildren (5-10 years old)	945,800	(2)
Children less than 5 years old	972,000	(2)

Population distribution		
Urban	58%	
Rural	42%	(1)

2. Basic health indicators (3)

Population with access to drinking water	
Urban	77%
Rural	27%
Population with access to adequate sanitation	
Urban	36.8%
Rural	9.8%

3. Nutritional indicators (3)

Breast fed:	
Infants, 0-2 months	92%
Infants, 4-5 months	83.6%
Infants, 10-11 months	77.19%
Average duration of breast feeding	17 months
Percentage of babies with low birth weight	15%
Number of babies with low birth weight	32,000
Percentage of malnutrition, weight for age, children 3-36 months old:	
Slight	31.4%
Moderate	10.7%
Severe	2.6%
Percentage of undernourishment, weight for age:	
Slight	29%
Moderate	23.5%
Severe	14.8%
Prevalence of endemic goitre	
1982	62%
1989	20.9%

4.	Educational indicators		(3)
	Gross percentages of children in receipt of primary education:		
	Rural	65%	
	Urban	110%	
	Male	93%	
	Female	81%	
	TOTAL	87%	
	There are 471,000 children unable to attend school (88% of whom are in rural areas)		
	Literacy rate		
	Male	85%	
	Female	71%	
5.	Economic indicators		(3)
	Annual growth of GNP 1991	+4.1%	
	Inflation 1991	21%	
6.	Housing indicators		(1)
	Increase in the number of units of accommodation, 1976-1972	50%	
	Number of units of accommodation for 1992	1,655,271	

Sources:

(1) Preliminary data of the 1992 National Census.
(2) Data for 1988.
(3) Análisis de la Situación de Niños y Mujeres en Bolivia, UNICEF - 1992.

B. Political, administrative and legal structure

4. Article 1 of the State Constitution provides that Bolivia is a unitary republic and adopts representative democracy as the form of its government; sovereignty resides in the people and its exercise is delegated to the legislative, executive and judicial powers. The National Congress, consisting of the Senate and the Chamber of Deputies, has the legislative power; the executive power is exercised by the President of the Republic and his

ministers. The judicial power is possessed by the Supreme Court of Justice in Sucre and the districts courts, of which there is one in each departmental capital with jurisdiction over the Department; the judges of the district courts for criminal, civil and matrimonial cases; the examining magistrates for criminal, civil and matrimonial cases and, lastly, the magistrates of the small claims courts. The other tribunals with jurisdiction and competence are the National Labour Court and the labour tribunals; the National Mining Court, the Financial Tribunal and the National Agrarian Reform Council, which are bodies that dispense justice within legally defined areas.

5. Juveniles are protected by the provisions of the Juvenile Code (see annex 1), which tallies with some of the provisions of the Family Code. It must, however, be pointed out that the Juvenile Code is almost exclusively concerned with misdemeanours and disputes involving juveniles, and has been modified in that respect by the draft juvenile code (see annex 2) currently awaiting approval by the National Congress. This draft code provides comprehensive legislation on juveniles, without any discrimination, along the lines of the Convention.

6. The State Constitution provides the country's basic legal framework, and is followed in descending order by laws of the Republic, supreme decrees (S.D.), ministerial decrees and lesser provisions covering specific cases. Therefore, as regards juveniles, the State Constitution is the pre-eminent legal norm, followed in descending order by the Juvenile Code, the Family Code and the Criminal Code, and by administrative regulations and provisions.

C. Background to the Convention

7. Four years before the General Assembly of the United Nations adopted the Declaration of the Rights of the Child (20 November 1959), Bolivia promulgated the Declaration of the Rights of the Bolivian Child by Supreme Decree No. 04017 of 12 April 1955, the date that was, moreover, established as the Day of the Rights of the Bolivian Child. Those rights, which undoubtedly signified an important advance in the care and protection of children, were not put into practice for some years on account of shortcomings in the country's social policy and the rather limited knowledge of the problems involved.

8. Historically speaking, social policy was built up in Bolivia piecemeal, in isolation from economic policy; it demonstrated the lack of an all-embracing view of social problems and was consequently inadequate. Because of this flawed understanding, the priorities required were not developed, nor were there the planned and coordinated actions that might have allowed rational use of resources that were always inadequate in relation to the magnitude of the problems and the needs.

9. During the seventies, however, stress was laid on education, with the main emphasis on the creation of a physical infrastructure for formal education. In the eighties, more attention was paid to health, starting with mass immunization and other primary health care activities with community participation.

D. Working procedure

10. Bolivia was the eighth country in the world to ratify the Convention on the Rights of the Child by Decree-Law No. 1152 of 14 May 1990. That commitment obliges the country to submit an initial report concerning implementation of the Convention to the Committee on the Rights of the Child. The State takes responsibility for the preparation of this report through the Ministry of Planning and Coordination, and the National Board of Solidarity and Social Development, which comes under the office of the President of the Republic, along with governmental and nongovernmental bodies, the judiciary, the National Police and other bodies.

11. For the purpose of analysing and considering the measures undertaken, the progress made and the difficulties encountered, the governmental organizations concerned called on more than 20 State, church and nongovernmental organizations to participate in the task. There follows a list of the most important contributors to the drafting of the report: National Board of Solidarity and Social Development; Ministry of Social Security and Public Health; Ministry of Education and Culture; UDAPSO; Ministry of Information; Ministry of Labour and Labour Development; National Police; National Drug Abuse Office; Supreme Court of Justice; District High Court; Juveniles Commission of the National Senate; Pan American Health Organization and World Health Organization, United Nations Childrens Fund; and National Coordinating Office for Work with Children and Adolescents. Consideration was also given to the sections of the document on the general guidelines regarding the form and content of initial reports to be submitted (CRC/C/5) and to the activity spheres of the organizations. Seven working groups were constituted in this way and given a specified time within which to go through the documents and undertake consultation and discussion that might help in obtaining relevant information on the matter so as later to put together the information required. The nongovernmental organizations grouped together in the national and regional coordinating offices provided the report with the results of discussions on the topic with various civilian groups.

12. An inter-institutional committee drawn from the same working groups undertook the review and drafting of the final report. The procedure followed in drafting the report was to examine the legislative, legal and administrative measures in force in the country in favour of the child; to consider their applicability and implementation, the changes made in compliance with the Convention and the current situation reflecting the circumstances of its execution and the difficulties and successes.

II. IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

A. General measures of application

Article 4 and paragraph 6 of article 44 of the Convention

13. The following measures have been taken to harmonize Bolivian legislation and policies with the provisions of the Convention:

(a) the Bolivian Social Strategy backed by Supreme Decree No. 22904 of 10 November 1991 (see annex 3), the basic objective of which is the

fight against poverty with priority attention to three groups: the traditional agricultural sector; the shifting element of the urban population and groups at risk (women and children);

(b) The Ten-Year Plan of Action for Women and Children (see annex 4), which seeks to give effect to the Bolivian Social Strategy in specific schemes and activities for implementation of the objectives of the World Summit for Children;

(c) The draft law on the new structure of the judiciary submitted for the approval of the National Congress includes within the judicial system all the special tribunals (juvenile courts, family courts, labour courts, taxation courts), thus ensuring implementation of the Convention.

14. The following committees have been organized with inter-sectoral and inter-institutional participation to provide coordinating machinery for policies relating to children and to monitor application of the Convention:

(a) National Inter-Institutional Coordinating Committee to support the activities of the National Board of Solidarity and Social Development aimed at defending and popularizing the rights of the child;

(b) Committees for the defence of the rights of the child of nationwide scope, initially set up at the level of educational communities and directing their work towards grass-roots organizations;

(c) Inter-Sectoral Commission of the Ten-Year Plan of Action for Women and Children;

(d) Sub-Commissions of the National Plan for Survival, Child Development and Maternal Health (see annex 5);

(e) Juvenile Commissions of the Chamber of Deputies and the Senate;

(f) International cooperation agencies: UNICEF, PAHO/WHO, UNFPA, WFP and USAID Inter-Agency Committee;

(g) Investment Coordinating Committee: IDB, WB and FIS.

B. Definition of the child

Article 1 of the Convention

15. Every human being from birth to the age of twenty one years is regarded as a juvenile in Bolivian legislation, specifically in the State Constitution (art. 41), the Civil Code (arts. 4 and 5(1)), the Family Code (art. 249) and the Juvenile Code currently in force (art. 1). However, the Constitution does note, as an exception, that persons who marry at the age of eighteen have reached their majority.

16. The term "juvenile" is used in preference to the term "child" in our legal terminology. The essence of the two concepts has been extensively debated in the country between the National Board of Solidarity and Social Development, which is the key State body in the sector, the National Senate and the nongovernmental bodies grouped together in the National Coordinating Committee for Work with Children and Adolescents. Those who advocate replacing the term "juvenile" by "child and adolescent" do so on the grounds that the former has overtones of a discriminatory ideology and that it was proposed from the doctrinaire standpoint of misdemeanour applicable only to some juveniles who suffer the consequences of an unfair social and economic order. Some people propose that the term "juvenile" should be retained, but that it should be given a new content, and argue that it is used in a more general sense to cover a stage of human development that is not confined to childhood and adolescence. Both points of view have their supporters in the State body and in the National Coordinating Committee of Non-governmental Organizations.

17. As a result of this debate, and because it is a legal instrument, the draft juvenile code that has received initial approval in the National Congress uses the term "juvenile" as a general expression because it encompasses the various biological and psychological stages of the population with which it deals and is compatible with other legislation. It has, however, also been established that a great deal of collective education is needed for a new understanding of the term "juvenile" to be possible.

1. Minimum age for legal and medical counselling

18. Legal counselling without parental consent for the initiation of legal proceedings may not take place below the age of twenty one years, when the majority is reached. Persons below the age of twenty one may be given legal counselling at an advisory level in guardianship courts and in regional juvenile offices, which are State bodies that provide protection under the Juvenile Code in force and appear for the claimant in cases in which the rights of a minor are infringed. They are administrative bodies and their decisions are not final, but must be pursued through legal agencies in those cases in which the rights of the child are infringed; in less serious cases, the above-mentioned bodies deal with the matters raised following investigation and detailed technical biological, psychological and social assessment.

19. In addition to the above-mentioned bodies, there are the offices of the public prosecutor for juveniles, which come under the Ministry of the Interior, Migration and Justice, and are empowered to take proceedings through the various courts in family, civil and criminal matters. The nongovernmental organizations also participate in counselling on the problems of juveniles through legal and social counselling services.

20. Legal counselling is more often given to the parents or legal representatives of juveniles and only exceptionally to juveniles themselves; that is the case, for example, of working juveniles and juveniles living on the street, who approach the authorities responsible for providing protection either directly or through the experts of projects dealing with the problems

of juveniles. The authorities either deal with specific problems or, if necessary, refer the cases to lawyers.

21. It should be clarified that it is the population of the urban area that most often has recourse to legal aid bodies and lawyers; the rural population makes less use of these facilities. This situation is due to socio-cultural and economic factors of a structural nature that are features of the country's low level of development.

22. As regards medical counselling, the Health Code makes no reference to the minimum age at which a juvenile may seek medical advice without parental consent. In practice, a flexible approach is adopted towards the seeing of juveniles unaccompanied by their parents, except for gynaecological care, for which there is a legally specified age (21 and 18 for married women).

2. End of compulsory education

Article 28(a) of the Convention

23. The State Constitution specifies (title IV, art. 177) that: "Education is the highest function of the State" and that the culture of the people must be advanced in the exercise of this function. The freedom of education is guaranteed under the supervision of the State. Public education is free and is provided on the basis of the unified democratic school. Primary education is compulsory. In accordance with article 7(e), which states that: "Everyone has the right to receive education and acquire culture"; art. 199: "The State shall promote the physical, mental and moral health of children and shall uphold the rights of children to a home and to an education" and art. 205(5): "It is the function of mayors to promote popular culture", article 184 of the Constitution stipulates that public and private pre-school, primary, secondary, normal and special education shall be controlled by the State through the appropriate ministry and in accordance with the Education Code.

24. Article 1 of title 1 of the Education Code states that: "Bolivian education is built on the following basic principles: 1. It is a supreme function of the State because it is a right of the people and an instrument of national liberation and there is a duty to maintain, direct and control it through an extensive school system; 2. It is universal, free and compulsory, because these are basic democratic postulates and because the individual, by virtue of being born, has the right to equality of opportunity and to culture". The other ten clauses of the same article further support the right of the child to education. Article 2 of the same Code indicates the purposes of National Education. Clause 1 states: "to educate the Bolivian citizen as a whole person, stimulating the harmonious development of all his potentialities in accordance with the interests of the community"; the following 8 clauses outline other aspects.

25. The Juvenile Code currently in force stipulates in chapter II, article 1: "The State shall protect the physical, mental and moral health of children and shall uphold the rights of children to a home and to an education". Juveniles are required to fulfil their basic assignments. The draft juvenile code (in

course of being approved) gives a more explicit statement of the right of the child to education in article 22(1) and (2): (Obligation of the State). "The State is under the obligation to guarantee the juvenile:

1. Compulsory free basic education, including education for those who did not have access to it at the appropriate age, ensuring the schooling of juveniles, especially in the rural area;

2. Progressive extension of the compulsory nature of secondary education".

3. Part-time employment, full-time employment and hazardous employment

26. Article 32(2) of the Convention stipulates that States Parties shall provide for a minimum age or minimum ages for employment. Article 58 of the General Labour Law and article 66 of the Juvenile Code specify the fourteenth birthday as the minimum age for employment, and the Juvenile Code stipulates that, in order to be able to enter into a contract of employment, the juvenile must establish that he has successfully completed basic education. According to the Juvenile Code, the engagement must take the form of a written document approved by the Regional Director of Juveniles, who will authorize the work only if "it is compatible with his physical and mental development and his natural aptitudes and when the work of the juvenile is essential for his own maintenance, that of his parents or the persons on whom he is dependent".

27. Article 80 of the same Code provides that the maximum length of the working day shall be seven hours a day from Monday to Friday and five hours on Saturday, or 40 hours a week for juveniles permitted to work, in accordance with the General Labour Law. It further provides that: "The working day shall be divided into two periods of three hours and thirty minutes each with a break of two hours in the middle". Article 81 provides that: "Working juveniles shall have Sunday as a day of rest without the possibility of working and being paid in lieu". Article 82 provides for a paid holiday of 20 working days after one year of continuous service.

28. Night work by juveniles, defined as "...work between 6 p.m. and 7 a.m. on the following day" is prohibited. As regards hazardous employment, there is a chapter in the Juvenile Code concerning "prohibited work" (articles 76-79), which distinguishes various types of work in accordance with the prescriptions of the International Labour Organization under three headings: hazardous employment, employment involving moral danger and unhealthy work.

29. Although the legislation on the employment of juveniles is among the most advanced in the continent, these norms are not complied with in practice because of the country's critical socio-economic situation and the lack of regulatory machinery. In reality, the limits set by the law have been exceeded, as is shown by the incorporation of some 280,000 juveniles in the labour market in the cities and in the rural area, a significant proportion of whom are less than fourteen years old and work in the streets, in small workshops and in agriculture; it is obvious that in the majority of cases they

are working without the authorization provided for by the Juvenile Code and under conditions that adversely affect their psycho-social and physical development.

30. In response to this situation, the draft juvenile code provides for the complete protection of working juveniles, specifying 14 years as the minimum age for employment; however, machinery is specified for the protection of children more than eight years old, for as long as "... the economic situation of their families shall require and the State lacks the ability and the chance of providing these children and the members of their household with the material conditions required for their full and complete development: housing, food, education, health, integral upbringing...".

4. Minimum age for sexual consent and minimum marriageable age

31. The Family Code, promulgated in 1976, lays down various requirements for entering into marriage, the chief of which is age. The minimum age set in this legislation is 16 years for males and 14 years for females, before which any marriage entered into is null and void (Article 44 of the Family Code). Nevertheless, the same article accepts that a judge may grant exemption from the age requirement "if there are serious and justified grounds for doing so". A marriage entered into when one or both parties is below the age stipulated in the aforementioned article may not be contested if there has been cohabitation for a month or if there is a child.

32. There are no specific norms as regards the minimum age for sexual consent; however, it may be inferred from what has been stated regarding marriage that the minimum age for sexual consent is 14 years for the female and 16 years for the male.

33. For the offences of violation, rape and indecent assault the Criminal Code provides heavier penalties for persons who offend against "decency", behaving in a manner that aggravates their situation, if the offence is committed against "a juvenile before the age of puberty" and "below 17 years of age". Although age is related to a biological process, puberty, it reflects an ambiguity regarding the minimum age for sexual consent which could be deduced to have been stipulated for an age of 16 years.

5. Voluntary enlistment and conscription into the armed forces

34. Article 8(f) of the State Constitution specifies that every person has the duty to fulfil the civilian and military service that the Nation requires for its development, defence and preservation. This precept is in line with article 213 of the Constitution which states: "Every Bolivian is obliged to perform military service in accordance with the law". Decree-Law No. 13907 of 27 August 1976 stipulates the age of 18 as the age for military conscription for a period of service of one year.

35. The conclusion to be drawn from the legislation cited is that there is no such thing as voluntary enlistment, but only compulsory military service, which has to be performed for a period of one year and applies only to males. During the period that they spend in the armed forces the young conscripts receive military training and civic instruction, supplemented by work for the

benefit of the community. Military service may be deferred, but there is no exemption from the responsibility; the upper age limit for conscription is 30 years.

36. At the present time conscription extends only to youths in the lower social strata and to peasants, because of socio-cultural connotations, such as the fact that civil rights and recognition of social position are acquired with military service. The fact of having performed military service confers prestige among the peasantry. The middle and upper classes attach no importance to military service, and resort to legal and illegal procedures to obtain the certificate of military service that all males have to produce in all dealings with the authorities in the national territory. According to what is said by young people, and above all young peasants, they learn little of military matters, and the tasks that they perform are concerned with agriculture, the learning of a trade and the provision of personal services.

37. There is, in addition to compulsory military service, an option known as Social Organization of Rural Access Roads, which offers young males the alternative of enlisting for road building in the rural area for one year, at the end of which they receive their certificate of military service under an agreement with the Ministry of Defence.

38. The Juvenile Department (Secretaria General de la Juventud) has put forward a proposal to the armed forces for social service as an alternative to compulsory military service, the salient points of which are as follows:

> "The performance of social service as an alternative to military service is a legitimate request for young Bolivians, given that more than 100,000 young people of both sexes annually reach the age of conscription and our armed forces have an intake of only 25,000 young males, 80% of them from the rural area. With this arrangement all young people would be enabled, at an important stage in their lives, to take on important support tasks and duties, in accordance with their abilities, as essential contributors to the literacy campaign, to health, in hospitals, orphanages and institutions, as a workforce in the building of roads and the basic infrastructure, and all these tasks could be coordinated between the armed forces and the institutions capable of participating in this effort."

It should be noted that military training would not be excluded with this type of service, but would be the subject of a special basic training programme. The armed forces are currently pioneering the plan for alternative social service for both sexes as a pilot project, on the basis of which the rules will be drawn up for its application at the national level.

6. Voluntarily giving testimony in court

39. The minimum age at which specified acts may be carried out is related to the ability of the individual to carry out acts or to work and is reserved to those who have reached their majority, with the exceptions provided by law (marriage, independence), as set out in article 4 of the Civil Code: "Juveniles are prevented from appearing in court other than to give testimony

voluntarily"; however, article 444 of the Civil Procedural Code provides that: "Any person more than 14 years old may be called as a witness and is obliged to appear and give testimony, unless otherwise provided by law", which means that a person below the age of 14 may not give testimony in legal proceedings.

40. Article 117 of the Juvenile Code currently in force provides that:"... testimony that a person below the age of sixteen years has to give in a trial, in an active or passive capacity, may be given solely and exclusively in a juvenile court in the absence of the procurator, lawyers and interested parties.", which also demonstrates that persons below the age of 16 can give testimony in legal proceedings only by way of information in a juvenile court and with the consequent reservation in the absence of the procurator, lawyers and interested parties. Nothing is stated concerning the voluntary nature of the provision of the information.

41. The foregoing leads us to conclude that juveniles may not give testimony voluntarily in legal proceedings other than as provided in the legislation cited.

7. Criminal liability

42. Article 58 of the Juvenile Code indicates that: "In no case may juveniles (between the ages of 16 and 21) ... be taken into custody by members of the armed forces, nor may they be subjected to corporal punishment of any kind..." Article 59 of the same Code provides that: "The public trial of juveniles is prohibited, as is the publication of oral, recorded, graphic or written information concerning the alleged acts in which they took part." Both articles provide sanctions for those who infringe their provisions. These precepts are also set out in the draft juvenile code, which proposes the establishment of juvenile courts, which will be able to call upon interdisciplinary teams to advise the judge and which will take charge of all aspects of the administration of justice to juveniles. The setting up of these courts will overcome the present limitations facing the existing juvenile courts, which are courts of an administrative type, the equivalent of the regional juvenile offices, whose view is sometimes disregarded by the courts in criminal matters.

43. The chapter of the Criminal Code referring to the rules for application of the criminal law specifies in article 5 that its provisions shall apply to persons who were more than 16 years old at the time of the deed; this precept is in accordance with article 60 of the Criminal Procedural Code, which expressly states: "The charge shall be considered as applying to any individual over the age of sixteen years...". These norms demonstrate conclusively that criminal liability, referred to as imputability, is an attribute of a person over the age of 16 years.

44. Article 113 of the Juvenile Code currently in force provides that persons below the age of 16 years may not be proceeded against in criminal matters, further to which article 114 of the same body of laws rules that any person below the age of 16 who is a wrongdoer, a lawbreaker or commits a misdemeanour is regarded as behaving improperly, but neither do these precepts refer to criminal liability.

45. The draft juvenile code extends the age of immunity to 18 years (art. 181), in which it follows modern views on criminal law and the legislation of other countries relating to juveniles: this criterion, upheld in the draft, will provide the basis for modification of the Criminal Code and criminal procedure in favour of offending juveniles, helping to overcome the existing lack of protection for persons between the ages of 16 and 21. Article 182 of the same draft regulates the protection enjoyed by young persons between the ages of 18 and 21 when proceeded against in the ordinary courts.

8. Imprisonment

46. Any person more than 16 years old who commits an offence is regarded as liable to be proceeded against and to deserve the appropriate penalty, but the treatment that the law provides for juveniles sentenced to terms of imprisonment is different from that provided for adults; this difference is specified in the Act on the Execution of Sentences, article 8 of which notes, when listing penitentiaries, that one category is "Institutions for persons below 21 years of age" in which, according to article 9 of the same law, the prisoner shall receive psycho-social treatment, instruction, education, work and apprenticeship to a trade.

47. Article 27 of the Criminal Code provides for rigorous imprisonment and ordinary imprisonment. Rigorous imprisonment is the sentence for more serious crimes for which the sentence is from one to 30 years. Conversely, ordinary imprisonment is applied to less serious offences for which the sentence is from one to eight years. The former provision is in line with articles 48 and 50 of the same Code. Article 37 of the Criminal Code provides that judges shall have regard to "the personality of the author" in determining the penalty, which signifies that the treatment meted out will not be the same for all and that the age of minors who may have committed an offence when immune to prosecution should be taken into consideration under this heading; next, as is specified by the Act on the Execution of Sentences, a juvenile wrongdoer should not be imprisoned in an establishment intended for adults.

48. With regard to the matter under discussion, article 57 of the Juvenile Code provides that when a person between the ages of 16 and 21 has to be imprisoned the sentence should be served in special wings of penitentiaries, with no contact whatsoever with adult prisoners. This does not happen in practice owing to existing limitations, mainly of an economic nature.

49. Article 187 of the draft juvenile code state bluntly that "no juvenile shall be imprisoned without due legal procedure". Lastly, section V, chapter V, title II of the second book of the same instrument sets standards for the imprisonment of young offenders that place emphasis on measures of protection and of a psychiatric and educational nature, without mentioning as self evident that the sentence is either rigorous or ordinary imprisonment.

9. Consumption of alcohol and other substances

50. In accordance with article 119(c) and (d) of the Juvenile Code currently in force, any person below the age of 16 years commits a minor offence or a breach of the law on entering licensed premises and consuming alcoholic

beverages; or in possessing, trafficking in or consuming dangerous drugs, or hallucinogenic substances or narcotics. Persons who commit such offences or breaches are regarded as committing a misdemeanour or a serious misdemeanour and as liable to be treated by the juvenile court in the appropriate manner. Act 1008 of the Regulations on Cocaine and Controlled Substances provides in line with the aforementioned norm that users below the age of 16 years shall be brought immediately before the juvenile court which "shall of necessity determine the measures to be taken for their rehabilitation", in which task the parents or persons in authority shall cooperate.

51. Among the provisions of article 163 of the draft juvenile code concerning prevention and prohibition of the sale of alcoholic beverages to juveniles there is a mention of "medicinal drugs and other products whose constituents constitute a danger or may give rise to physical or mental dependence"; the procedural section states the penalties for those who transgress these provisions.

III. GENERAL PRINCIPLES

A. Non-discrimination

Article 2 of the Convention

52. Article 6 of the State Constitution states that: "Every human being has legal personality and capacity, in accordance with the laws. He enjoys the rights, freedoms and guarantees recognised by this Constitution without distinction as to race, sex, language, religion, political or other opinion, origin, economic or social condition, or any other". There is a connection between this provision and article 7 of the same Constitution, which specifies the fundamental rights of individuals.

53. The foregoing signifies that juveniles may not be discriminated against and that they are protected by the law. A brief analysis of this principle is, however, required because in fact some deeds are held to be exclusively the province of adults and, in any case, juveniles are at a disadvantage because, but virtue of their juvenile status, they are denied the full enjoyment of their rights. For example, in referring to the legal equality of the members of the family, article 3 of the Family Code indirectly expresses a discriminatory idea when it states: "... within the hierarchies that the organization of the family imposes...", and this has given parents the opportunity of being able, through what is termed "the principle of authority", if it comes to the point, to deal with their juvenile offspring, imposing standards and behaviour on them without regard for their personality and their right to state an opinion through to the point of disagreeing with the views of their parents. The equality of the rights of children, without distinction as to origin, is enshrined in article 173 of the Family Code.

54. With reference to "non-discrimination", we may instance the wording of article 176 of the Family Code, which abolishes the long-standing classification of legitimate, natural and recognised natural children which was formerly used in entries in the register of births and on the birth certificates themselves and which gave rise to unpleasant and unfair discrimination. All children have the same rights under the law, without any

distinction whatsoever. Juveniles are not legally discriminated against, but have the same rights as are recognised by the law for all inhabitants of the Republic and with the limitations also provided by the law; none the less, in social and cultural terms, the situation turns out to be different.

55. The right of children to participate freely and fully in the life of their communities is generally respected in the current context of democracy, although many indigenous children are still discriminated against and special attention needs to be paid to their participation in society. Article 30 of the Convention provides that these children have the right to enjoy their own culture, to profess their own religion and to use their own language. The educational system has become a barrier to this, since Spanish has traditionally been the official language of education also for the considerable number of children whose mother tongue is Aymara, Quechua or Guarani. The Ministry of Education, supported by UNESCO, is in the pilot stage of a project for intercultural and multilingual education that will enable these children to learn in their autochthonous language, as well as in Spanish. This is a project that aims at putting the rights of children into practice. No in-depth examination of the right of participation is made in this analysis: speaking in general and with specific exceptions, as in the case of the education of the indigenous populations, these rights are more important for older than for younger children, the group on which this study concentrates. On the other hand the recent Bolivian proposal to the Latin-American Summit that a Fund for the Development of Indigenous Peoples in Latin America and the Caribbean be created is an important advance.

56. In the case of girls and women, discrimination starts in the nuclear family in the process of socialization with the allocation of specific roles: traditional domestic occupations and the reproductive function, with relegation in the sphere of work to the less well paid jobs. Differentiation in employment opportunities and in access to education and training is clear evidence of discrimination in general.

57. Another form of discrimination against childhood is to be seen in the existence of a sizeable group of juveniles who have made the streets their home. In the case of children with disabilities, discrimination begins within the home, where in many instances the parents conceal the child's situation and put obstacles in the way of specialist medical treatment, thus restricting the integral development of the child. There is scarcely any placing of such children in formal education because the system does not provide appropriate conditions for the child's situation.

58. Arising from the identification of these difficulties, the State has proposed that work should proceed on various topics through the formulation of the Ten-Year Plan for Women and Children, the draft juvenile code, the draft social security code and the new educational reform.

B. Best interests of the child

Article 3 of the Convention

59. The Juvenile Code currently in force (articles 1 and 2) provides that: "This Code shall regulate the exercise, enjoyment and guarantees of the rights

of juveniles in the territory of Bolivia (as set out in article 195 of the State Constitution and article 173 of the Family Code). It shall institute State services and establishments charged with promoting, protecting and providing for the physical, mental and moral health of juveniles, and also for their spiritual, cultural and social development." "The State shall protect the physical, mental and moral health of children and shall uphold the rights of children to a home and an education. Juveniles are required to fulfil their basic obligations (as set out in articles 6 and 7 of the State Constitution)."

60. Likewise, articles 5, 7 and 8 of the draft juvenile code favour the best interests of the child as a joint obligation of the State, the family and society.

61. Beginning with the ratification of the Convention on the rights of the Child by Bolivia, the Government has adopted measures to care for and protect children, particularly the children of those sectors in a state of dire poverty.

62. There are at the present time four important documents produced in the course of the action undertaken in 1989-1992 that are primarily concerned with an overall approach to the best interests of the child. They are:

(a) The Bolivian Social Strategy;

(b) The Plan for Infant Survival, Child Development and Maternal Health;

(c) The Ten-Year Plan of Action for Women and Children, which covers the areas of health, education, basic sanitation and full care for children in especially difficult circumstances; institutionalized children, street children, children with disabilities and peasant children;

(d) and, in the legal sphere, the draft juvenile code. The analysis made of the situation of juveniles in particularly difficult circumstances is another important contribution.

63. One of the governmental bodies active in the social sphere is the National Board of Solidarity and Social Development set up by S.D. No. 09922 of September 1971 as the leading body in the sector as regards the protection and care of children and the family. In the context of the Convention on the Rights of the Child and of Bolivian legislation, and having regard to the particular features of our social reality and our assessment of the issues concerning children, this body has organized its activities with a change of approach permitting a return to the work of assistance and of the institutionalization of juveniles, promoting all-round training, participatory education, work with the family and the community, inter-institutional coordination and ongoing training for all institutional staff. This approach has found expression in the formulation of policies, plans and programmes that lay down two lines of work: prevention and direct care, of which the first is aimed at avoiding an increase in the numbers of children in especially difficult circumstances; while the second seeks to achieve the full

development of juveniles. Both approaches are expedited by inter-institutional coordination and the organized participation of civilian society in the search for alternatives.

64. In the direct care approach it should be emphasized that the programme of complete care of juveniles has been established for abandoned children and orphans in the urban area and in the provinces with the setting up of 61 Integral Training Centres providing care for 3,857 children. The work of the programme is concentrated on openness and the humanization of institutions with the aim of achieving the best possible conditions for the placing of the children in society and in work. The National Programme for the Care of Children with Disabilities is being carried out through five special education centres in the cities of La Paz and Oruro, with facilities for 190 children. For working juveniles and street children there are open programmes in eight departmental capitals that provide socio-educational and educational psychology support; the Programme for the Care of Juveniles in the Community, which serves 4,600 children, has health and training services.

65. In the preventive approach activities are carried out to strengthen the family unit through the Integral Family Care Programme and communication, information and social mobilization projects involving institutional and neighbourhood groups, as well as through inter-institutional coordination projects and committees for defence of the rights of the child.

66. The children's homes project with direct participation from families in the community is being carried out with the aim of providing nutritional care, early encouragement, the first steps in education and preventive health care for children from birth to the age of six years. The project for centres for the integral development of young children (day-care centres) that exist in some departmental and provincial capitals is working along the same lines.

67. We may mention as a significant aspect of the work of the National Board of Solidarity and Social Development the governmental and nongovernmental inter-institutional coordination that has been given concrete expression in the creation of the National Inter-Institutional Coordination Committee for support to activities concerned with the publicising and defence of the rights of the child. The Ministry of Social Security and Public Health, the Ministry of Education and Culture, The Ministry of Labour and Labour Development and the Ministry of Information are represented in this committee, along with the National Police and the nongovernmental bodies that work with young children and adolescents. This coordination has contributed to the progress in institutions to which reference has been made and also to the production of important documents and the carrying out of studies on children; above all on children in especially difficult circumstances.

68. In the legal sphere, and until the new juvenile code is approved, the National Board of Solidarity and Social Development has promoted a series of activities to analyze and resolve specific matters, including the adoption of children by foreign couples; and juveniles going abroad, in coordination with the Ministry of the Interior, Migration and Justice, and the Chancery; and activities to combat immunity from prosecution for offences committed against juveniles.

69. Mention must be made at the nongovernmental level of a series of a series of bodies, including the church, grouped together in the Coordinating Office of Nongovernmental Organizations that work with children and adolescents, and that develop programmes and specific activities for children.

C. The right of the child to life, survival and development

Article 6 of the Convention

70. Article 7(a) of the State Constitution provides that: "Every person has the following fundamental rights in accordance with the laws that govern their exercise: (a) to life, health and security"; this provision is in line with article 6 of the Civil Code.

71. Article 15 of title I of the draft juvenile code: On the Right to Life and Health states: "Every juvenile has the intrinsic right to life and health. The State is under the obligation to guarantee and protect these rights by giving effect to social policies that enable women to carry and bear children and juveniles to develop to the full in decent living conditions".

72. The spirit of these provisions is to be found in S.D. No. 22354 of 6 November 1989 approving the National Plan of Infant Survival, Child Development and Maternal Health and declaring that care for women and children is a priority owing, in particular, to the high infant and maternal morbidity and mortality rates.

D. Respect for the views of the child

Article 12 of the Convention

73. Respect for the views of the child is intimately bound up with the child's right to freedom of expression alluded to in article 12 of the Convention, to which we shall refer in part IV of this report: Civil Rights and Freedoms, paragraph C: Freedom of expression.

E. Government measures for dissemination of the Convention on the Rights of the Child

74. A national publicity campaign on the rights of the child has been conducted at governmental level in coordination with nongovernmental organizations and with the participation of children and adults in completing report forms on maltreatment, disabilities, infant mortality and morbidity, basic services and other aspects with the aim of organizing committees for the defence of the rights of the child. There have also been competitions for mural paintings on subjects concerned with the rights of the child. Young children and adolescents from public and private institutions took part in these activities.

75. In the course of two consecutive operations effective work was carried out with the Coordinating Office of Nongovernmental Organizations working with young children and adolescents and by means of awareness workshops for the National Police and for the staff of the office of the mayor of La Paz with the aim of publicizing, explaining, analysing and assessing the rights of the

child as the starting point for a course of action to reduce violence and coordinate activities in a different approach to the problem. These publicizing activities will be given continuity not only through the workshops mentioned above, but also through the various means of social communication.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality

Article 7 of the Convention

76. The rights of the human being , i.e. the rights that every person enjoys by virtue of being a person, are explicitly recognized by articles 6 and 7 of the State Constitution, which also implicitly recognizes "other rights" by the statement in article 35: "The declarations, rights and guarantees enumerated in this Constitution shall not be taken as a denial of other rights and guarantees not proclaimed therein, which emanate from the sovereignty of the people and the republican form of government." The provision that we have quoted therefore refers to implicit rights; i.e. to rights of a fundamental nature of which governments cannot fail to recognize. Such rights are, in fact, inherent in the human condition; the right, for example, to have a name or a patronymic.

77. Article 9 of the Civil Code provides the right of persons to have a name, which includes an individual proper name and the family name of the father and the mother, a provision that is in agreement with the next article (10), which refers to the right of the child to bear the name of its parents "in relation to whom the child's affiliation has been established". Likewise, article 174(1) of the Family Code lays down among the fundamental rights of children, the right to establish their affiliation and to bear the name of their parents.

78. Article 110 of the draft juvenile code now awaiting approval contains the same formulation as the Civil Code. Article 111 provides that every juvenile shall be entered free of charge in the Civil Register and that "should the juvenile be unaware of the identity of his or her parents and be unable to identify them, then he or she shall be supplied with an ordinary proper name and parental names without this situation being specified".

79. None the less, in spite of the efforts displayed, the registration of birth is in practice not adequate. A great many children are not registered immediately after their birth for various reasons: ignorance of the parents, especially in the rural area, and the lack of the infrastructure for registration in remote localities, registration which is generally in the hands of improvised staff with little training, no knowledge of the law, and unable to speak Spanish, the official language, correctly.

80. Article 37 of the State Constitution relates to acquired nationality or nationality through naturalization and article 39 of the same Constitution to the loss of Bolivian nationality.

B. Preservation of identity

Article 8 of the Convention

81. Although there is no constitutional provision referring in those words to "preservation of the identity of the child", articles, 16, 17 and 18 of the Civil Code stipulate the rights to an image, to honour and to privacy, provisions which, along with name, nationality, language and other socio-cultural values, go to make up identity, which is a natural right.

82. There is a chapter of the draft juvenile code devoted to identity, which includes the personal name and the family names of the parents (articles 110-111), which have a bearing on the right to nationality that is also a part of identity (articles 107-109), which demonstrates that the new legislation follows the guidelines of the Convention.

83. It is important to point out that identity has technical connotations; there is, for example, the case in which the person responsible for the registration of births is not always specialized and consequently not always efficient; the fact of registration is, in certain circumstances, no guarantee of authenticity, because mistakes are made over personal particulars, sex, place of birth etc.

C. Freedom of expression

Article 13 of the Convention

84. Freedom of expression is enshrined in article 7(b) of the Constitution, which states: "freely to impart ideas and opinions through any of the media of dissemination". In relation to this right, article 32(j) of the Juvenile Code currently in force provides that the juvenile has the right to "the free expression of his or her faculties and the exercise of his or her individual aptitudes". Article 114(2) of the draft juvenile code stipulates freedom of opinion and expression in referring to the right to freedom.

D. Access to appropriate information

Article 17 of the Convention

85. There is not any constitutional provision relating to the matter; however, secondary laws, orders and municipal regulations prohibit the screening of certain television programmes at unsuitable hours when they might be seen by juveniles. Provision for this situation has been made in article 162 of the draft juvenile code which specifies that radio and television broadcasting companies shall have slots for children's programmes. Article 163 provides that persons or enterprises that sell, hire out or exchange video tapes shall take care in their dealings with juveniles that these transactions are not at variance with the classification made by the appropriate body. Article 164 states that magazines and publications that contain material unsuitable for juveniles shall be sold without being put on display and, lastly, article 165 states that magazines and publications

intended for juveniles may not contain illustrations, photographs, slogans, features or advertisements for alcoholic beverages, cigarettes, arms and ammunition.

E. Freedom of thought, conscience and religion

Article 14 of the Convention

86. As regards freedom of thought, the matter has already been dealt with (paragraph 84) with reference to freedom of expression. Here we refer exclusively to freedom of conscience and religion. The Constitution recognizes the Catholic religion as the official religion, while at the same time permitting the public exercise of any other form of worship. Article 3 proclaims that: "The State recognizes and upholds the Roman Catholic Apostolic Religion. It guarantees the public exercise of any other worship...". The juvenile, by virtue of being in the care of his or her parents, adopts their religion.

87. (Catholic) religious instruction is given in State-controlled educational establishments. In private education establishments the religion professed by their proprietors is taught, without any restriction, in application of the constitutional provision on freedom of worship.

88. Article 114 of the draft juvenile code includes freedom of belief and religious worship in the right to freedom.

F. Freedom of association and of peaceful assembly

Article 15 of the Convention

89. The Bolivian Constitution guarantees the right "to assemble and to associate for lawful purposes" (article 7(c)), purposes which may be of various kinds: economic, cultural, social or some other order. Under the protection of this constitutional provision, juveniles may come together in clubs, associations, cultural, sports and student centres etc., including groupings of a working nature that have arisen because juveniles are obliged, owing to the economic situation being experienced in the country, to work as news vendors, shoe cleaners, minibus assistants and in other occupations.

90. In its section on the right to freedom, the draft juvenile code includes the rights to participate in sport and healthy recreation, and to belong to student, community, trade union, sporting and social organizations.

G. Protection of privacy

Article 16 of the Convention

91. The Constitution protects the inviolability of the household in article 21, and the right of the human being inherent in personality. This provision is connected with the right to private life. On this matter, article 18 of the Civil Code is more explicit in its recognition of the right to privacy, where it provides that no-one may disturb or disclose a person's private life. As regards correspondence, article 20 of the State Constitution

prescribes: "Correspondence and private papers shall be inviolable and may not be seized other than in the cases provided by law..." ... "Private documents that have been illegally acquired or taken away shall not be a source of legal effect". This provision is in line with articles 19 and 20 of the Civil Code. Both provisions are, naturally, also applicable to juveniles.

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

Article 37(a) of the Convention

92. Article 12 of the State Constitution prohibits any kind of torture, coercion, extortion or other form of physical or mental violence (applicable to all the inhabitants of the country, including juveniles). As regards capital punishment and life imprisonment, we have stated in the appropriate section that they have been abolished by the Bolivian Constitution. It must be pointed out that life imprisonment has never existed in Bolivia; however, it must be noted with respect to the death penalty that the Criminal Code does provide for it, but that the provision of the Constitution prohibiting the death penalty takes precedence.

93. It may be inferred from the foregoing that juveniles, equally with adults, are protected by the provisions of the Constitution. Within the penitentiary system, should a juvenile be sentenced to a term of imprisonment, it must be served in specialized establishments intended for this group of persons (Juvenile Code, Act on the Execution of Sentences and the Penitentiary System and the draft juvenile code).

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance

Article 5 of the Convention

94. The celebration of matrimony, rights and responsibilities of this kind and, among the responsibilities, priority to care for children, that carries with it the satisfaction of their needs while they are juveniles, and proper guidance so that they shall in the future be good persons and useful to society, are principles established in article 96 of the Family Code, which regulates duties "in the rearing and education of children". This is a concept that implicitly includes the guidance that parents should give to their children in seeking to ensure that the latter, in everything that they do, behave in a manner in which morality, honesty and integrity, their devotion to truth, the defence of values, a proper sense of country, honour and dignity are permanent standards.

95. In accordance with legal and socio-cultural norms, it is the family that is the basic institution of society, the institution entrusted with watching over the integral development of the child; it is the parents who are directly responsible for their upbringing, survival and socialization until they come of age. However, many parents are unable, through poverty and family conflicts, to carry out these duties to the full and to ensure the full development of their children.

96. Faced with the lack of responsibility of some parents, the National Board of Solidarity and Social Development provides guidance, emphasizing the importance of the family for the development of the child. In this perspective, priority has been given with institutionalized children, for example, to their release from the institution and their reinsertion in the family, since it has been established that 53% of these children have one parent.

B. Parental responsibilities

Article 18(1) and (2) of the Convention

97. If we take as our starting point the constitutional principle that matrimony rests on the equality of the rights and duties of the spouses (article 194 of the State Constitution), we shall arrive at the point that the responsibility of the parents for their children is shared in common, and that neither can decline or avoid the responsibilities arising from parenthood. This provision is complemented by the following article of the Constitution, which provides for the equality of the rights and duties of the children towards their parents, and goes much further in providing that, in the case of separation of the spouses, "the situation of the children shall be determined having regard to their best care and moral interest" (article 196 of the State Constitution).

98. However, taking these basic principles within the legal order as a starting point, we redeem the general principles concerning the situation of the children and the responsibilities and obligations of their parents towards them. The Family Code ratifies what is set out in the Constitution by its article 96, which stipulates the equality of rights and duties in managing the affairs of the marriage "also in the upbringing and education of the children".

99. Emphasis must be placed on the maintenance by parents of their juvenile children, maintenance that must not only comprise the satisfaction of their needs for food and clothing, but also an even greater responsibility to ensure that the children acquire a trade or profession for the future. This implies covering the cost of education and health, in addition to the affection, guidance, care and moral and material wellbeing that must be given to them in their development and education (article 14 of the Family Code).

100. The responsibility of parents for their children is also laid down in the chapter on parental authority in the Family code, articles 244 et seq. of which regulate the protection and care of juveniles in the family environment, in addition to specifying that the parents must exercise this authority in the interest of the children; these are provisions that, given their importance, are provisions of public policy, which demonstrates to us that primacy is accorded, above all, to the best interests of the child, the principle that the Convention emphasizes.

101. We must add some obligations that are parental responsibilities and that are related to affiliation, such as the obligation to register the birth of their children in the Registry Office. It is also appropriate to note

parental responsibility to participate in social security so as to safeguard their good health and provide against contingencies and risks.

102. The Juvenile Code currently in force states in its second article: "The State shall protect the physical, mental and moral health of children and shall uphold the rights of children to a home and to an education", but does not expressly refer to the responsibility of parents towards their children. The draft juvenile code lays stress on the obligation of the family, the community, society in general and the State to guarantee to juveniles, as an absolute priority, effective enjoyment of their rights regarding life, health, education, dignity, respect, freedom etc., but does not specifically determine or define the responsibility of parents towards their children, although logically, in referring to the family, the parents are included in that concept.

103. The State and the institutions, for their part, provide services that help the family to ensure the education, professional training, health and recreation of juveniles. Furthermore, having regard to the poverty factor, many parents are unable adequately to fulfil their responsibilities and exercise their rights. The State has recently promoted a policy to combat poverty, and for care and support for those groups of the population that have the highest levels of poverty and that are a national priority.

104. In that context, the National Board of Solidarity and Social Development, as the leader of the sector of the country's groups at risk, is carrying out an integrally conceived series of family support programmes aimed at prevention. We may instance, for example, the integral family care programme, the key components of which are children's homes, multifunctional dining-rooms, medical polyclinics, support for economic initiatives, and production-training workshops. There are, furthermore, care centres for juveniles deprived for some reason of parental care, such as the integral training centres that provide assistance needed by orphaned and abandoned children, with the emphasis on their complete education and training, including occupational and/or pre-occupational training.

105. The Ministry of Health, the Ministry of Education and the National Board of Solidarity and Social Development have centres for children from birth to six years of age as an assistance to working parents. These centres provide care and socialization for the children during the day, in some cases with the institution solely responsible and in others with the organized participation of their community. The Ministry of Health has recently proposed the carrying out of an inter-institutional care programme to promote the education, health and general upbringing of schoolchildren and adolescents.

C. Separation from parents

Article 9 of the Convention

106. Article 250 of the Family Code stipulates that: "Juveniles may not be separated from their parents without just cause". Article 145 of the Family Code, which concerns the effects of divorce, sets certain parameters relating to the situation of the children when a marriage is dissolved, which lead infallibly to the children being separated from one of the parents. It is

provided that the judge, in deciding this measure, shall give priority consideration to the care and moral and material interests of the children, and it is further noted that when there are agreements between the parents they should necessarily have regard to those interests. In another paragraph of the same article, the Code stipulates that: "Custody of children below six years old may be given to the mother, and of older children to the father, or the boys may be placed in the care of the father and the girls in that of the mother, without distinction as to age." Lastly, there is provision that, for considerations of morality, health or education, custody may be granted to only one of the parents or that both may be refused custody, and the choice may be made between the paternal or maternal grandparents and the brothers and sisters of both spouses or even suitable third parties.

107. The foregoing gives expression to an important fact: the legislator has been at pains throughout to protect the juvenile, giving implicit consideration to the best interests of the latter, and adopting measures that least affect the child obliged to be separated from its parents for various reasons. On this aspect, the Supreme Court of Justice has established jurisprudence that pronounces in favour of the children in all cases. This situation is a question of public policy.

108. It is also necessary to point out, as a basic principle, that the separation of the children from one of the parents, giving the custody to only one of the parents, is not final, since situations may arise that place a juvenile entrusted to one of the parents in moral or material danger, and consequently this decision is open to review and cannot be final, in every instance the interest of the juvenile is always considered, as provided by article 145 of the Family Code.

109. The legislation also provides that the parent who is not given custody and/or possession, is not deprived of the right to visit his or her children: "under the conditions that the judge sets...", and always within the provisions of articles 146, 257 and all relevant articles of the Family Code. Divorce does not entail loss of parental authority; consequently, although it results in the enforced separation of the children from one of the parents, neither loses the natural connection.

110. Starting from the premise that the parents are the persons best placed to bring up the children and that the family is the institution responsible for looking after the safety, wellbeing and best interests of the child, the National Board of Solidarity and Social Development has allocated financial resources and manpower for the carrying out of a systematic policy for return to the family of those juveniles who, for various circumstances, find themselves separated from their family unit. All its actions are consequently directed towards work with the family. Only in those cases in which the parents or guardians are not guaranteeing the safety and wellbeing of the child are temporary measures taken in the best interests of the child.

111. Should the parents separate, the regional juvenile offices of the National Board of Solidarity and Social Development provided suitable guidance to both parents through their technical departments to ensure that the child shall not be deprived of the protection, affection and support of either of them, a situation which is established in accordance with age, with the

participation of the child and with prior comparison of the favourable and unfavourable conditions that each of the parents is able to offer.

D. Family reunification

Article 10 of the Convention

112. There is no concrete provision on this matter governing the reunification of the family when there is separation, a situation which occurs only in times of political persecution, such as that which existed in the seventies.

E. Recovery of maintenance for the child

Article 27(4) of the Convention

113. Before proceeding to consider the matter, reference must be made to the provision of article 173 of the Family Code, which categorically establishes the principle of the equality of children. That provision is complemented by the following article, which deals with the fundamental rights of children, the second paragraph of which specifies: "To be maintained and educated by their parents during their minority".

114. Chapter 2 of the preamble to the Family Code refers expressly to family aid, specifying in article 14 that it comprises "... everything essential for sustenance, housing, clothing and medical care"; article 20 of the Code states the requirements for the application for aid, with the objective formulation that "... it may be requested only by someone in a state of need and without the possibility of providing the proper means of subsistence". Subsequently, article 21 orders that the aid shall be determined in proportion to the need and the resources of the person who ought to supply it. According to article 22 of the Code, the aid should be paid at the end of the month and from the date of notification of the request. The following articles are in line with articles 147, 148 and 149 of the same Code, the first of which establishes the obligation of the parents to contribute to the maintenance and education of the children; the second sets out the special feature that the judge may at any time order changes thought to be appropriate to his decisions, in the light of the best interests of the children; and the third sets out the social interest of the help given by establishing execution on the person. Lastly, we must add that the proceedings of the application for maintenance aid are summary proceedings, as laid down in article 437 of the Family Code. The State has provided in relation to family or maintenance aid that it is not only a civil obligation, but also a natural obligation the performance of which brooks no delay and can be secured compulsorily.

115. Despite it being the competence of the judge for family cases to deal with all applications for aid both for the child and the family, the regional juvenile offices deal with various cases through their technical services, always acting in protection of the best interests of the child, but they are confronted with a very serious limitation in this task, namely that they lack legal competence, which leaves their intervention legally void, although the work that they do in making parents aware of the need to assume their duties with greater responsibility is of value.

F. Children deprived of a family environment

Article 20 of the Convention

116. Article 20 of the Convention clearly specifies that children temporarily or permanently deprived of their family environment, or who cannot in their own best interests be allowed to remain in that environment shall have special protection and assistance provided by the State. On this matter, article 233 of the Family Code establishes for orphaned or abandoned children, or children whose parents are unknown, the right of adoption, currently termed "full adoption", which enables the State to provide a juvenile in one of the afore-mentioned situations with a home or family in replacement for the original home or family. The State tends in this way to provide protection for juveniles without neglecting its obligation to assist them through its establishments for juveniles whose situation is abnormal, which are services that, under the terms of article 3 of the Juvenile Code, are bodies under public law, whose organization is provided for in chapter I, title I of the first book of that Code, which refers to the National Board of Solidarity and Social Development as the main body, at the national level, for all forms of assistance to juveniles.

117. Through the institutions of custody, detention and guardianship the State provides juveniles who have been abandoned or whose parents are unknown with a temporary home and, should adoption take place, with a permanent family: these legal forms of conduct are established in the Family Code and the Juvenile Code (articles 288 and 293 of the former and chapter III, title two of book two of the latter).

118. The draft juvenile code, to which reference has previously been made, devotes title two of the first book to these institutions, following modern directives and aligning itself on the norms established by the Convention, introducing public guardianship directly exercised through the protecting body, which is a real and effective protection fora juvenile in need of a family environment.

119. Juveniles who find themselves, for various circumstances, deprived of the protection of their parents, are placed in State-run and private care centres, in which, apart from receiving all the care needed, various activities are carried out to provide for their integral education, training and development, and to ensure that they are equipped to cope with life in society and work. In addition, arrangements are made for children to develop in a family environment. There are various schemes in existence, including those run by Colonia Pirai in Santa Cruz and by Aldeas S.O.S. in various regions. At the present time, the National Board of Solidarity and Social Development is making significant advances for the benefit of children through delegated management agreements, since the State is not always economically in a position to offer the most favourable conditions for the development of abandoned, orphaned and other children.

G. Adoption

Article 21 of the Convention

120. All matters relating to adoption are regulated by the two chapters of title III of book two of the substantive part of the Family Code and by articles 445 and 453 of the procedural part. The legislation distinguishes between full adoption (arrogación) and simple adoption. The latter is the term used in the case of juveniles who are not guilty of misdemeanour or in conflict, while adoption is used for orphaned and abandoned children and children of unknown parents. Both forms are fully regulated, both as regards their requirements and the form in which they operate, but the law does suffer from some defects, especially in making no reference to international adoption.

121. The draft juvenile code takes account of the work carried out over the last two years by the National Board of Solidarity and Social Development on the procedures and machinery for the monitoring and assessment of children adopted by foreign couples, on the basis of the signing of bilateral agreements entered into following fulfilment of the requirements indicated by the National Board as the body that protects juveniles. It is important to note that this body gives preference to adoptions by the country's nationals, not only because it makes post-adoptive monitoring easier, but also because it preserves the socio-cultural identity of the children.

122. For the adoption of juveniles, which we refer to as simple adoption, the law provides requirements for both the adopters and the adopted. The former must be more than 40 years old, have no children apart from adopted children, be of good reputation and have sufficient means to take on the responsibility of adoption. With regard to the persons adopted it is provided that they must be below the age of 18 years, that their parents must have given their consent, and that the adoption can be made by only one person, save for spouses who are in agreement. There are also provisions specifying the rights and duties of the person adopted with the family from which he or she came, the surname, and the challenging, revocation, cessation and nullity of the adoption.

123. As regards the form that we call full adoption, the Family Code also sets out the following requirements, establishing that candidates for adoption must be no more than six years old and that the adoptive parents must be more than 30 years old. It is provided that the adoptive parents must be married and have been married before the birth of the adopted child; it is not permitted to adopt more than one child, except in the case of brothers or sisters; it is determined that the proceedings are in private and that adoption is irrevocable. The links of the adopted person with his or her former family are severed by adoption.

124. The draft juvenile code sets the minimum age of the adoptive parents at 25 years for both simple and full adoption, and specifies that foreign adoptive parents must conduct the adoption procedure through intermediary bodies that must be approved by the Bolivian Government and legally constituted. They shall operate through letters of intent endorsed by the Bolivian Government and similarly endorsed by the country of origin of the

adopter. The proceedings are supervised by the Ministry of Foreign Affairs, whose constant endeavour is to safeguard the best interests of the child.

H. Illicit transfer abroad and non-return

Article 11 of the Convention

125. The National Juvenile Office and the Juvenile Court act in conjunction with the relevant State bodies in those cases in which a juvenile has been illegal transferred abroad. The National Juvenile Office takes the appropriate legal and administrative measures.

I. Abuse and neglect, including physical and psychological recovery and social reintegration

Articles 19 and 39 of the Convention

126. On this point, faced with the increase in violence and its effects on children, an analysis has been made of the situation faced by children who are victims of violence and maltreatment. Activities aimed at reducing the high incidence of maltreatment of juveniles have been developed. It has been established that communication and education on this topic is one of the main means of promoting the direct participation and commitment of the media of social communication in this task. Some admittedly slight results have been achieved thus far. In addition, more ample coverage is being sought through the creation of committees for defence of the rights of the child, initially in the educational community of the State schools and subsequently in broader spheres. An open debate on the subject was held in August and a seminar in September; these activities will contribute to establishment of the machinery and procedures both for the temporary detention of maltreated children and for their subsequent treatment.

J. Periodic review of placement

Article 25 of the Convention

127. There is on-going assessment of the systems of care and of the individual and group situation of the children concerned; this assessment is conducted by the National Juvenile Office in the centres that it administers.

VI. BASIC HEALTH AND WELFARE

128. The Bolivian Government considers it to be fundamental that the rights of the child approved by the General Assembly of the United Nations in 1989 have been reinforced by the Declaration of the World Summit for Children held at the United Nations Headquarters in September 1990 and has decided to develop a Ten-Year Action Plan for its application and implementation in the years 1990-2000. Bolivia already has a Ten-Year Plan of Action for Children that is enriched by a strong component of activities directed towards women and coordinated intersectorially by the National Board of Solidarity and Social Development. In adopting the goals of the Summit, the Ten-Year Plan of Action is basically aiming to improve social and economic conditions so as to reduce maternal and infant morbidity and mortality, to eradicate hunger and

malnutrition; and to improve the health situation of women and children by promoting full attention to the needs of both: health, the economy, housing, the environment and education.

129. The first meeting to assess the state of advancement of national plans of action for fulfilment of the goals of the World Summit for Children was held in Brasilia in April 1992. The meeting was attended by high-level (executive, administrative and technical) representatives of 29 countries of the Americas. Among the conclusions and recommendations it was thought necessary to strengthen communication and dissemination activities, as well as to produce multisectoral and multidisciplinary national plans of action without delay for achievement of the proposed goals, backed by follow-up and monitoring arrangements by a committee, the responsibility for which was assumed in various countries by the Ministry of Health in coordination with other sectors.

A. Survival and development

Article 6(2) of the Convention

1. General principles

130. Bolivia, which is pursuing a model of neo-liberal development, is paying a high social cost as a result of the economic adjustment involved, which is dramatically affecting the less well-off sectors of society. The economic indicators show that more than 60% of the population exist in conditions of poverty and that some 50% of them are in a state of dire poverty (Inter-American Development Bank). These alarming figures define shortcomings as regards health, housing, education, nutrition, basic services etc., the consequences of which, in their turn, are violence, exploitation, abandonment and tragedy affecting, in particular, women and children.

131. On 8 November 1989, the President of the Republic of Bolivia approved by Supreme Decree No. 22354 the National Plan for Infant Survival, Child Development and Maternal Health, proclaiming the care of mothers and children as a priority and formulating the following goals for the reduction of mortality in both groups:

(a) a reduction of the infant mortality rate by 50% in 1993, by comparison with the rate in 1985;

(b) a reduction of the perinatal mortality rate by 30%, by comparison with the rate in 1985;

(c) a reduction of the maternal mortality rate by 50% in 1993, by comparison with 1989;

(d) a 50% reduction in moderate and severe malnutrition among children less than 5 years old, by comparison with 1990;

(e) a 70% increase in the coverage of new systems and extension of the water supply and drainage systems, by comparison with 1991.

2. Present situation

132. The following data come from a UNICEF report: Análisis de Situación de los Niños y Mujeres en Bolivia (1992):

(a) Infant mortality rate in the first year of life:

102 per thousand live births

Urban - 83/1000

Rural - 120/1000

(b) Maternal mortality rate

48 per thousand live births

(c) Percentage of children immunized in the first year of life

1991

BCG - 67%

DPT - 58%

Poliomyelitis - 66%

Measles - 73%

(d) Number of children not immunized with DPT by the age of one year - 91,215

(e) Number of children below the age of five years dying annually from:

Diarrhoea - 13,200

Acute respiratory infections (pneumonia) - 10,500

Perinatal complications - 3,700

(f) Percentage of births with a qualified health worker (including traditional birth attendants) in attendance:

47%

(g) Percentage of children less than five years old suffering from diarrhoea:

28%

(h) Percentage of children with diarrhoea given ORH (oral rehydration therapy):

32%

(i) Percentage of children who received medical attention:

33%

133. The most common causes of infant mortality are: dehydration from diarrhoea, pneumonia and perinatal complications, measles and other diseases that can be prevented by immunization. Malnutrition is an associated cause of death in four out of five deaths of children below the age of five years. For these reasons the country has decided to give priority to maternal and child health and has begun to implement the National Plan for Infant Survival, Child Development and Maternal Health through a model of care integrated in its social context that relies on the agreement and participation of all sectors of the population. The National Plan is not confined to the reduction of infant mortality, but specifies the need to monitor the normal growth and development of surviving children through programmes aimed at schoolchildren (5-9 years old) and adolescents (10- 19 years old), the objectives of which are:

(a) to develop an integral care programme for schoolchildren and adolescents that will help to improve the health and living standards of this group of the population;

(b) to involve adolescents in the analysis of their problems and needs, and of the factors that hinder or prevent them from approaching the health services and seeking with them the means of overcoming these difficulties and problems.

134. Since 30 January 1976 Bolivia has had a complex Juvenile Code, currently undergoing revision, that specifies the rights, privileges and protection that the State confers upon Bolivian children, who are regarded as the country's natural wealth and most precious strategic resource. The State Constitution also declares in its fundamental chapters that the education, health, wellbeing and safety of the child are its highest duty. Rapid growth rates in urban areas reduce access to adequate services in them.

135. The linking of health with development and the genesis of new, effective and equitable ways in which to assert the claim of health as a fundamental human right and as a problem of social survival is essential; but it is not possible for policy and the development of economic models to be conducted in isolation from the vital existence of citizens and to threaten the very existence of society.

B. Children with disabilities

Article 23 of the Convention

136. Given the lack of the full information needed for a semi-quantitative study of the problem of children with disabilities, there is a need to investigate the matter. In spite of the fact that our knowledge of the aetiology of the problem of disability is incomplete, we are in a position to indicate the most common causes, which are antenatal and perinatal asphyxia, communicable diseases (bacterial meningitis, tubercular meningitis), accidents and injuries (maltreatment of the child), and genetic causes (Down's

syndrome). Generally speaking, malnutrition and poverty are antecedents of all these causes. None the less, it is considered that 70% of these cases could be avoided by a prevention programme.

137. Progressive neurological, physical and sensory disabilities in the Bolivian child population are a cause for alarm and are, unfortunately, a structural element of the existing morbidity and mortality, which explains why they are submerged in health services and programmes, which permanently give low priority to the population of children with disabilities. The compilation of a detailed register of the many institutions that care for persons with disabilities throughout the country has shown that none had primary prevention programmes. Most worked on rehabilitation, with minimum care services in all areas.

138. The manpower resources allocated and the diagnostic and rehabilitative teams at the national level are inadequate and the few health professionals who are specialists received their training in other countries, because Bolivian universities do not provide specialist training on the prevention and treatment of disabilities. The National Board of Solidarity and Social Development has an integral programme for children with disabilities which is carried out at the National Institute for the Adaptation of Young Children (care of mentally retarded children) and the National Institute for the Rehabilitation of Young Children (children with a physical disability), the Erick Boulter Institute (deaf children) and the Maria Antonieta Suárez Institute (blind children).

139. In like manner, the Ministry of Education and Culture set up the Department of Special Education in April 1985 in fulfilment of chapter XIII of the Bolivian Educational Code. As an integral part of the national education system, special education lays down policies and draws up appropriate programmes to satisfy the material, social and spiritual needs of "persons with special needs". The training and/or further training of the existing manpower is also being promoted to help develop the potential of persons with special needs through the use of methods, techniques, procedures and means appropriate to their particular characteristics and needs, at three levels of care: initial education from birth to six years old, provision of training for work and placing in occupation.

140. Special education is needed by those persons who exhibit one or more of the following characteristics for reasons of an intellectual, physical, sensory, social or emotional nature: mental retardation; defective hearing and speech difficulties; physical limitation; behavioural and personality problems; specific learning difficulties; multiple impediments; extreme giftedness.

141. Ministerial Resolution No. 2923, approved on 18 December 1990, provides for:

(a) adoption of the concept of "children with special needs";

(b) removal of architectural obstacles from educational establishments;

(c) gradual integration of pupils with special needs into the ordinary education system.

142. Three special education courses have been run to instruct teachers in the areas of mental deficiency, learning difficulties, deafness and blindness, with the support of governmental and nongovernmental organizations. "Special teaching classes" have been organized in the ordinary education system. An experimental pilot programme that has been in progress in 9 pre-school establishments and primary schools of the city of La Paz since July 1988 has yielded satisfactory results.

143. The following programmes have been carried out: (a) special education in the Departmental Sports Institute of the city of La Paz, offering sports and recreation for children, young people and adults with special needs; (b) a programme for the implementation of special education in the rural areas of La Paz, with a mobile team of rural teachers who attended the first special education course.

144. The first night school for the deaf has been set up. An occupational training centre has been promoted in La Paz in the Bolivian Association of the Parents and Friends of Exceptional Children (ABOPANE). External tuition in special education has been begun with the holding of the course on "learning difficulties" in September 1991 under the new teaching proposal.

145. One of the current advances in this field is the draft law on persons with disabilities, the first article of which states: "The present law governs the rights, duties and guarantees of all persons with disabilities living in the territory of the Republic of Bolivia and has the purpose of regulating the processes for their training and rehabilitation, the prevention of disabilities, equalization of opportunity without discrimination and their incorporation into the country's labour system and social security. Article 4 states: "For the application of the present law, the following definitions are adopted in line with those of international and national bodies:

a. Deficiency.

b. Disability.

c. Handicap.

d. Prevention.

e. Rehabilitation.

f. Special education.

g. Equalization of opportunities.

h. Discrimination.

Article 6 provides that: "The rights of persons with disability are those laid down in the legislation of the Republic and those that stem from them and can never be given up:

a. The right to life and to enjoyment of the facilities and means for its protection from the time of conception and thereafter.

b. The right to live within one's own family or in a home substituting for the family, should it not be possible to rely on the family.

c. The right to enjoy integral health care of the same quality, effectiveness, efficiency and availability as that prevailing for the other inhabitants of the country.

d. The right to be cared for by any medical service in case of emergency outside any consideration of an economic nature or of the medical care system to which the person with the disability belongs.

e. The right to receive special health care in accordance with actual age, and the type and degree of handicap or disability.

f. The right to rehabilitation in specialized public, private or mixed centres.

g. The right to participate in decisions concerning their treatment within their possibilities and means.

h. The right to receive working and occupational retraining and training.

i. The right to be integrated into the ordinary and special education system in public, private or mixed establishments.

j. The right to be protected against all exploitation and improper or degrading treatment."

H. Health and health services

Article 24 of the Convention

146. The National Plan for Infant Survival, Child Development and Maternal Health defines the goals for the reduction of infant mortality that have already been mentioned in section VI.A, Survival and development. The plan is based on three operational tactics: local health care systems, primary health care and social management. Since 1989, the Ministry of Social Security and Public Health has taken a firm stand on the decentralization of public health services and the better use of the available physical, economic and technical resources at the local level that makes possible planning based on local epidemiological patterns and social and economic realities.

147. At the local level, health teams administer, carry out and assess their resources and plans. Integral standards for the care of women, school children and adolescents will ensure proper care of high quality with adequate special and basic training of health professionals. It is, however, necessary to point out that it will be difficult to carry out these programmes without the participation of community organizations, because there is a need to

establish a permanent interrelationship between the health services and the population to continue to improve the social compact that finds its expression in the National Plan.

D. Social security and child care services and facilities

Article 26(3) of the Convention

148. Bolivian Social Security protects the dependent children, brothers and sisters and grandchildren of the insured until the age of 19 years in application of the Social Security Code promulgated on 14 December 1956. The Social Security also covers all unprotected juveniles dependent on State institutions until they reach an age of 19 years. When the previous requirements are satisfied, the cover may be extended to an age of 25 years, in which case the Social Security covers 50% of the costs.

149. Bolivian Social Security protects the health of children; it grants them benefits in kind and in cash through sickness benefit and the system of family allowances, which includes antenatal, maternity, breast-feeding, and death and burial benefits. The way in which care is provided for mothers and children is under examination. The draft social security code includes the establishment of mothers' clubs, nursery schools, lactation centres and integrated infant centres.

150. Article 62 of the General Labour Law and articles 56, 57 and 58 of its Regulations lay down the obligation of employers with more than 50 employees, to have creches as outbuildings separate from the work premises. The owners are responsible for maintaining these premises.

151. In the case of children of insured persons who have disabilities and no possibility of rehabilitation, the Social Security provides an annual payment and medical care.

152. From among the child care services, mention may be made of the integral assistance for children below school age in depressed areas, through WFP/BOL Project 2735. This project was initiated in 1985 under an agreement between the Government of Bolivia and the World Food Programme of the United Nations as a "Crash Programme". Since that time food aid been given to young children in integral child centres administered by the Ministry of Social Security and Public Health, and in special education centres administered by the Ministry of Education and Culture. Between June 1987 and June 1991 the child centres of Chicolac and the children's homes were also included.

(a) The integral child centres cared for 4,815 young children between the ages of 6 months and 6 years in 1990 in 97 centres staffed by child minders. These centres are established in the Departments of La Paz, Oruro, Potosi, Chuquisaca, Tarija and Cochabamba.

(b) The Chicolac centres: their services in raising nutritional level were provided to 71,168 children cared for in 707 centres.

(c) Children's homes: they serve a total of 630 children from birth to 6 years of age in integral care centres in the departments of La Paz,

Cochabamba and Chuquisaca. These centres provide integral care and rely on the services of mothers as nutritional educators and promoters.

(d) In the Department of La Paz the National Board of Solidarity and Social Development is in charge of the project and provides care for 260 children in 26 centres.

(e) The second stage of WFP/BOL Project 2735 is currently up for approval; it will be in force for 4 years and will provide care to 40,000 children.

(f) Initial education centres: these began in 1983, with the organization of 17 centres in the rural areas of the Departments of La Paz, Cochabamba and Santa Cruz. In 1990 the initial education centres provided care for 16,000 children in 873 food aid centres run by 800 promoters and 1,600 mothers.

E. Standard of living

Article 27(1) and (3) of the Convention.

153. As previously mentioned, various actions have been undertaken to ensure a standard of living that will make possible the physical, mental, spiritual, moral and social development of the child. Having regard to the fact that the economic indicators for Bolivia show that 70% of the population live below the poverty line and that some 50% are in a state of dire poverty (Inter-American Development Bank), the health indicators of infant and maternal morbidity and mortality rates are among the highest in Latin America. This indicates that greater efforts are needed to achieve an adequate standard of living for Bolivian children.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance

Article 28 of the Convention

154. Legal framework: Article 177 of the State Constitution provides that: "Education is the highest function of the State and the culture of the people must be advanced in the exercise of this function..." It adds, in its last paragraph: "...Public education is free and is provided on the basis of the unified democratic school. Primary education is compulsory".

155. Article 178 states that the State shall promote vocational training and professional technical education, directing it in the light of economic development and the country's sovereignty. Article 184 states that public pre-school, primary, secondary, normal and special education shall be controlled by the State through the appropriate ministry and in accordance with the Education Code.

156. That Code, promulgated as a Republican Act in January 1955, lays down basic principles, prominent among which are: (a) the universal, free and compulsory nature of education; (b) the democratic and unique meaning of education; (c) the national, revolutionary, anti-imperialist and anti-feudal

trend of education; (d) the all-embracing, co-educational, active, vital and work-related outlook of education and; (e) the scientific and progressive quality of the educational process.

157. The draft juvenile code provides that the State has the duty to ensure that juveniles receive free compulsory basic education, including those juveniles who did not have access to education at the appropriate age, ensuring that all children attend school, especially in the rural area, and that compulsory secondary education is gradually extended.

Structure of the educational system

158. In its structure the Bolivian educational system has followed the precepts of the Education Code and of acts and decrees, prominent among which are the Bolivian Education Act of 1973 and Supreme Decree No. 08601 of 1969.

1. Ordinary education

159. There are three levels of ordinary education: primary, secondary and higher. The primary level is aimed at children between 6 and 13 years old. The secondary level, covering four years, is diversified into courses in the humanities and technical occupation education, and is for adolescents between 14 and 18 years old. The higher level comprises two kinds of education - non-university and university - for persons more than 18 years old.

(a) The primary level

160. The structure of the primary level of ordinary education comprises three levels: pre-primary, basic (5 years) and intermediate (3 years).

161. Pre-primary education, which is not compulsory, is intended for children from birth to six years old who are cared for in ways not involving school teaching (birth to three years) and involving teaching (4-5 years old) through special programmes with the economic and technical cooperation of international and nongovernmental organizations, in which the Ministry of Education contributes under some specific headings. Under this heading, initial education is being developed as a basic component recognized by the ministry concerned as a primary component of the integral education of the individual, the family and the community. Various organizations allocated materials for the equipping of the initial education centres between 1989 and 1991. The population in this age group is the one that currently receives least attention from the educational services; thus, out of a population of 1,400,000, who are 18% of the entire Bolivian population, only 9.5% are covered by State services.

162. The basic level comprises 5 years of compulsory education and is for children 6-10 years old. Within government policies this is the age group that has the greatest support through curricular activities and additional programmes. The Government is currently giving priority attention to basic education, which is planned as the core of the community for the development of human resources, and as an investment in the integral development of the Nation, as emerges from the Bolivian Social Strategy. There are substantial differences between rural and urban areas in the attention to this level. The

rural area is organized in a nuclear form, with multi-grade (single-teacher) sectional schools for the first three school years and central nuclear schools for the other five school years. In some cases these central schools also provide intermediate education. In the urban area the 5-year course is taught with division of the subjects among several teachers.

163. Intermediate education is three compulsory years for pre-adolescents between 11 and 13 years old; it is preparatory to vocational training. However, it has not taken on a vocational quality, above all because of the lack of specialist training of the teachers and the shortage of laboratories and workshops for practical work by pupils.

164. The importance of extending basic education to children below the age of 12 years has been recognized for some years past in order to consolidate the benefits of the teaching received by children 6-10 years old, above all in the rural areas where the chances of putting education to use are limited by such factors as the dispersion of the population, the type of productive activity etc. In the educational structure, basic and intermediate education are recognized as compulsory. Efforts are being made to supplement this primary education, above all in the rural area.

165. Illiteracy arising from lack of use is disturbingly high in rural areas: some 53% of all children who complete basic education. This situation calls for reinforcement of the years of education in accordance with the basic learning needs of the population between the ages of 6 and 13 years. To that end the intermediate education on offer must be strengthened in rural areas and on the outskirts of towns.

166. The population receiving intermediate education is less than a half of the population in the age group 11-13 years old. The disproportion between the numbers receiving basic and intermediate education indicates that about 50% of the children who have access to school end their studies in the basic education syllabus when they still have not consolidated the basic knowledge acquired. This disproportion fundamentally harms the rural area, where the education on offer does not go beyond the 5-year basic education.

167. Although primary education is compulsory (currently 8 years), the statistics show that only 60% of the children who should be in one or other of the years of primary education are actually attending, and that the remainder have never registered or have left school on account of various factors of a socio-economic, cultural or family nature, the lack of an infrastructure, and the inaccessibility or non-existence of schools in the areas, mainly rural, where the children are living.

168. Although fragmentary and somewhat unreliable, the educational statistics show that the attendance rate in 1989 was 81% for the urban area and 46% for the rural area.

2. Special remedial education

169. The purpose of special remedial education is to provide differentiated and individual education in coordination with public and private bodies for the children, adolescents and adults who have slipped through the net of rural education on account of physical and psycho-social problems. This education

is provided in centres for corrective training and treatment of persons guilty of misdemeanours and in treatment clinics.

3. Out-of-school and further-education facilities

170. The basic aims of out-of-school and extension facilities are to popularize advances in science, literature and the arts by the provision of self-tuition facilities, so as to keep the population up to date in matters of culture and occupation.

171. The educational system is regulated not only by the Bolivian Education Code, but also by a series of provisions of various levels: there are acts, decrees, resolutions, agreements etc., that together make up a disjointed and diffuse set of regulations that are in many respects contradictory, and that have hindered the adequate development of the system. On the contrary, they have constituted a static system and have been partly responsible for the Ministry of Education being a sectorial head with very weak institutional capacity. Therefore, although these provisions do contain paragraphs of importance for the rights of children, they are, in general, unusable.

172. The educational system functions in an unimaginative way and too little has been done to change this situation. None the less, proposals for educational reform have been made in recent years aimed, inter alia, at the removal of controls and the clarification of a legal framework for the development and protection of children.

173. The budgetary allocation that the State makes to the Ministry of Education is 16% of the country's global budget. This amount is regarded as inadequate even to cover general basic requirements (it covers only 98% of the salaries of 70,000 teachers). The main responsibility of the Ministry, that of guaranteeing the compulsory basic education of children, is postponed and made subject to the covering of the requirements by external financial aid. Neither has the Ministry of Education as yet developed machinery to assist, follow up and monitor children at the primary level that will ensure that they complete their schooling in the urban and rural areas.

174. The poverty in which a large part of the population lives has a bearing on the living conditions of the children and on their education; poor, large families postpone and interrupt education, or make their children leave school, a fact which has a bearing on the increase in the number of children whose actual age is out of phase with their educational level, and later of the juveniles who enter the group of the functionally illiterate. Although some statistics show that a high proportion of boys and girls are enroled for basic education, defection, giving up and repetition are higher among girls because they have to carry out other duties in the family, such as looking after young children, housework or assisting their mother in her work.

175. Institutional infrastructure: the educational sector has an extensive institutional framework headed by the Ministry of Education and Culture as the leading organization in the sector, and made up of the decentralized bodies of the Ministry itself, private educational establishments, universities and nongovernmental organizations that provide educational services primarily in rural areas and on the outskirts of towns. The Ministry of Education and

Culture is loosely organized and its administrative structure includes departmental and regional and area supervisory bodies with responsibilities for ordinary, formal, informal and adult education. Two decentralized bodies are involved in these functions, the first of which, the National Technical Education Service (SENET) provides support for the technical education of school pupils, while the second, the National Service for Literacy and Popular Education (SENALEP) is responsible for adult literacy and education. However, the public universities do not play any part in this structure since, because of their autonomous status, they have no relations with the leading organization of the sector.

176. The centralization of decision-taking and of administrative operations has made the structure of the Ministry of Education bureaucratic and disordered, rendering it inflexible and non-receptive to the educational innovations that are in any case extremely few and far between. The educational reform will, effectively, be the channel for solving the problems that have been identified, above all because its aim is the simplification of procedures and administrative decentralization. Through decentralization it will be possible to involve regional and local communities in education itself, and in its administration and control.

B. Aims of education

Article 29 of the Convention

177. The purposes of education are set out in article 2 of the Education Code, and are as follows: (a) The integral education of Bolivian men and women; (b) Promotion of a healthy life and the health of the individual; (c) Education of the individual in a true school of ethics and practice; (d) Stimulation of the feeling of being Bolivian, combatting non-constructive regional attitudes. General and specific aims for each level of education and each programme have been established within the framework of the general aims proposed in the Education Code; these general and specific aims are in line with the principles previously set out that have not been fully achieved.

178. Because of this fact and the results so far achieved, Bolivian education is considered to be in a state of crisis. The Bolivian Social Strategy provides that: "The Educational Reform shall be the principal educational project, which shall give priority, inter alia, to primary education, rural education and the education of women, by comparison with higher education". The minimum results that it is hoped to achieve over the next 10 years from this reform and policies in the sphere of education are:

(a) "To reduce the average illiteracy rate in rural areas to levels equivalent to those found in urban areas;

(b) To reduce the average illiteracy rate among women in rural areas to less than 50% of the current level;

(c) To raise the average level of school attendance to at least 50% above the present level".

179. With respect to manpower training, one of the key elements of which is

the qualification of the workforce, the strategy provides that this aspect should merit priority attention, since it will help to maintain economic growth; that requires the formulation of training policies for the retraining of the workforce in the light of market requirements and regional characteristics, making use of and, where necessary, creating the social institutions and infrastructure required. The Bolivian Social Strategy gives preferential attention to women, because of the important role that they play in the upbringing of the new generations.

180. All this will be achieved through the reshaping of public expenditure, directing it towards the target groups, giving priority to programmes and plans for education, health, the production infrastructure, basic sanitation, technology and training.

C. Leisure, recreation and cultural activities

Article 31 of the Convention

181. The programming of leisure and cultural activities in the Bolivian education system corresponds most to the initiative and creativity of the institutions that provide the framework of education. The prominent features include cultural, artistic and sporting activities, painting competitions, puppetry, sports and folklore festivals, choir competitions, tree-planting campaigns, excursions, rambles etc. Educational fairs and exhibitions of pupils' work are held in educational bodies and school units in accordance with the curriculum and especially in the social and natural sciences. Use is often made of scrap materials for handicrafts in rural education; such handicrafts are an important means of education for children.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency

1. Refugee children

Article 22 of the Convention

182. There are no legal provisions that refer specifically to this problem; when a case arises it is dealt with on the basis of the provisions of the Convention and relevant international agreements.

2. Children affected by armed conflict

Article 39 of the Convention

183. The only legal precedent concerning children affected by armed conflict is the Regulations of the Association of Children Orphaned by War of 30 January 1941, established to deal with the consequences of the Chaco War. Given the outdated nature of this instrument, the handling of this problem which, fortunately, does not arise in Bolivia, would be based on the provisions of the Convention and the international agreements that govern the matter.

B. Children in conflict with the law

1. Administration of juvenile justice

Article 40 of the Convention

184. The Bolivian legislation is based on article 40 of the Convention on the Rights of the Child, whose numbered paragraphs and subparagraphs state that the rights of the child shall be respected and that legal bodies shall provide appropriate legal care and assistance. these rights are set out mainly in the Juvenile Code currently in force, in line with the following provisions of the Penal Code in which the child is regarded as the passive subject or victim of the offence: title VII, chapter II, Offences against the duties of family care, articles 248 and 249; title VIII, chapter I, Infanticide, article 258; chapter IV, Abandonment of children, articles 278-281; title XI, chapter I, Rape (second part) and 309; chapter II, Kidnapping, articles 313-317.

185. The provisions of the Juvenile Code refer to the defence of the juvenile in his capacity as the active subject of the offence, and articles 32-55 of this body of laws provides for the legal protection of the juvenile; articles 56-60 refer to the legal protection of juveniles regarded as imputable.

186. The Juvenile Code currently in force, which is formulated from the doctrinal standpoint of misdemeanour, provides in article 114: "Any sixteen year-old juvenile who commits an offence, contravention or misdemeanour under this Code shall be regarded as behaving in an irregular manner". Similarly, article 147 provides: "In cases of serious misdemeanours by a juvenile as defined in this Code, the court shall order his immediate confinement in a Centre for Observation and Diagnosis, so that he can be subjected to biological, psychological, sociological and pedagogical examinations. these should be carried out within 30 days at most". Article 156 notes that when the reports have been analyzed: "Depending on age and on the seriousness of the case, the court shall be able to order internment in the appropriate establishment.", adding that all measures adopted by the juvenile court are subject to review when 30 days have elapsed from the time of pronouncement of the sentence.

187. In practice, on account of limitations of various kinds, these provisions and their proceedings have resulted in situations of deprivation of liberty for children less than 16 years old, involved in acts regarded as misdemeanours; in many cases the National Police, through their Juvenile and Family Division, have detained children below the age of 16 years, delaying the referring of the case to the regional juvenile departments, which deal with such cases through their centres for diagnosis and treatment. In order to overcome these facts, provisions relating to the matter have been included in the draft juvenile code; these provisions have been formulated from the standpoint of the integral right in contrast to the punitive doctrine of the existing Code.

2. The punishment of children

Article 37(a) of the Convention

188. Article 12 of the State Constitution provides that no person and least of all a child may be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The precise wording of the constitutional provision is: "Any kind of torture, coercion, extortion or other form of physical or moral violence is prohibited, under penalty of immediate removal from office and without prejudice to sanctions that may be incurred by anyone who applies, orders, instigates or consents to them."

3. Physical and psychological recovery and social reintegration

Article 39 of the Convention

189. In order to promote the physical and psychological recovery and the social reintegration of children who are victims of abandonment, exploitation or abuse, the Bolivian State has defined priority care for children confronted with such situations, who are included under the heading "groups at risk", as a part of the Bolivian Social Strategy. That Strategy provides for a regulatory level for child care, with responsibility for the formulation of lines of activity, known as the National Council for Social Policy, and an operational level, with responsibility for their application; it is at this level that we have the National Board of Solidarity and Social Development, the body responsible for dealing with matters relating to children, women, the family and the elderly.

190. The National Board of Solidarity and Social Development has established policies and strategies on the basis of which a set of programmes and projects is being developed along both lines of action: prevention and direct care.

191. Prevention relies on programmes directed towards the family and the community:

(a) The Integral Family Care Programme, which includes projects for communal dining rooms, legal and social advice facilities, polyclinic facilities, support for production activities, children's homes and old people's clubs.

(b) The Social Publicity and Communication Programme, which includes projects for social communication and committees for the defence of the rights of juveniles.

192. The aim of direct care is to achieve the full development of every juvenile who is abandoned or orphaned, who is found working and living off his own resources in the streets, who suffers from disability or is maltreated. Likewise, there is the obligation under the Juvenile Code to take up any case in which the rights and interests of juveniles are at issue, appearing as the claimant for indemnification in any legal proceedings involving them. The lines of action laid down since 1989, before ratification of the Convention, correspond to article 39 of the aforesaid international agreement.

193. Direct care is provided through the following programmes:

(a) The juvenile care programme carried out in homes and centres directly administered by the National Board comprises two projects:

(i) Integral Training Centres for the orphaned and abandoned;

(ii) Diagnosis and Treatment Centres for children whose behaviour conflicts with established legal norms.

The purpose of both projects is to fit juveniles to take their place in society through integral training in which the juvenile is actively involved; it includes health care, housing, education, training and recreation. The two projects together cover 3,857 children of both sexes between birth and the age of 18 years.

(b) A Community Juvenile Care Programme that comprises the following projects:

(i) Working Juvenile, for juveniles who work in the formal and the informal sectors of the economy. This project is being carried out in 8 of the 9 Departmental capitals in the development of a process aimed at contributing to the development of working juveniles; support for their training and organization to provide access for them to the health and education services, to reduce the amount of time that they spend working and to increase their income. The project also offers training and promotes family and community participation in training and protection actions.

(ii) Integral Child Development Centres, for children from birth to the age of 6 years whose parents work and are unable to look after them during the day.

(iii) Street Child, for juveniles who live in the street and have broken their family ties for an indefinite period. These projects serve 4,600 juveniles of both sexes in the community.

(iv) Community Service is carried out in the 9 Departmental capitals. The city of La Paz also has an office that takes up specific cases of the maltreatment of children. This project handles some 14,000 cases a year.

C. Children in situations of exploitation

1. Economic exploitation, including child labour

Article 32 of the Convention

194. With reference to economic exploitation, including child labour, this matter has been examined in the section "Part-time employment, full-time employment and hazardous employment" (see paragraphs 26-30). In 1989 the National Board of Solidarity and Social Development set up the Register for the Protection of Working Juveniles through the regional juvenile offices; on

National Board of Solidarity and Social Development set up the Register for the Protection of Working Juveniles through the regional juvenile offices; on the basis of article 69 of the Juvenile Code a protection certificate is required and must contain information on the individual's social and working situation for consequent support and monitoring. This register involves a process of selection of those juveniles who have to work because of their critical socio-economic family situation. Its purpose is to offer socio-legal protection and to facilitate access both to projects providing support for working juveniles and to free education and health services, on the basis of agreements with the ministries concerned.

195. The wage received is an important element of paid work. Juveniles are abusively treated in this respect, for reasons that have already been noted. For effective payment of the wage, article 84 of the Juvenile Code provides that the minimum wage shall be fixed by the regional juvenile offices in conjunction with the Ministry of Labour. Unfortunately, there is no record of this legal wage fixing since the promulgation of the Code, because on the one occasion on which the salary of juveniles employed on public transport in the city of La Paz was fixed in coordination by the bodies responsible for so doing, the employers carried out mass dismissals. In response, the "vociferous" children organized protest campaigns calling on the Commission for Juveniles of the Chamber of Deputies to change the measures adopted.

196. Given that the economic contribution of the working child and of his family is important both for the family and for his own maintenance, it would be tantamount to an assault on the child's survival to prohibit children from working. This situation led to the open suggestion of some alternative solutions on the part of the State and nongovernmental organizations, with the emphasis on protective and promotional measures and training.

197. The actions were subsequently expanded and strengthened along the lines of the Convention. Thus, the draft juvenile code and the Ten-Year Plan of Action for Children were produced. The situation and structural conditions of the country are such that the whole question of the work of juveniles cannot be tackled in accordance with the legislative provisions, because they do not correspond to the actuality, which is one of limitations of infrastructure, manpower etc., with the result that bodies such as the National Office for Juveniles and the Ministry of Labour and Labour Development are effectively unable to carry out the functions for which they were created.

198. The draft goes beyond the Code currently in force in introducing provisions for the protection of dependent juveniles, workers in the home and workers on their own account, specifying mechanisms for the exercise of their rights to health, social security, education and training. There are also provisions relating to prohibited forms of work, including regulations on hazardous and unhealthy occupations. These regulations are in line with the draft of a new general labour law that is at present before the National Congress for its approval.

2. The illicit use of narcotics

Article 33 of the Convention

199. Article 139 of Act 1008, promulgated on 19 July 1988, provides: "Persons less than 16 years of age: drug users who are less than 16 years of age shall be brought without delay before the juvenile court, which shall under the obligation to determine the measures to be taken for their rehabilitation. The parents or persons in loco parentis shall cooperate in this task." S. D. No. 22099 of 28 December 1988, the Regulations to the aforementioned act, provides:

> "Article 44. When juvenile courts order the obligatory detention of juveniles for their treatment and rehabilitation in the specialized health centres maintained by the Ministry of Social Security and Public Health, the appropriate bodies shall deal with the social aspects."
>
> "Article 45. Through the body responsible for the protection of juveniles, the National Board of Solidarity and Social Development shall define and carry out policies for the rehabilitation of juvenile drug addicts, in conjunction with the National Council for Prevention and Rehabilitation". (CONAPRE).
>
> "Article 46. Departmental centres for juvenile drug addicts shall be set up and shall operate under rules laid down by the National Council for Prevention and Rehabilitation." (CONAPRE).
>
> "Article 47. Persons less than 16 years old who are involved in acts qualified as offences described in Act 1008, shall undergo treatment provided by the legally specified specialized authority."

200. The foregoing provision is in line with S. D. No. 23015 of 20 December 1991, which clarifies and gives concrete expression to the powers of the National Office for the Integral Prevention of the Illicit Use of Drugs, Treatment, Rehabilitation and Return to Society (DINAPRE): "To carry out plans and programmes for treatment, rehabilitation and return to society for the benefit of juveniles, the prison population and dependent drug users in general, in conjunction with the competent public and private institutions". This Office is developing its activities in conjunction with the public and private institutions competent in the matter; it is providing advice and manpower training; it is encouraging talent and promoting investigation into high school students throughout the national territory, including the rural areas.

201. Similarly, DINAPRE has conducted research on the illicit use of drugs among the urban student population between 12 and 22 years old taking intermediate and secondary school courses and in the first years of university courses. It was established that alcohol consumption is the major problem in all the Departments of Bolivia, with a prevalence of 40.5%, followed by tobacco use, with a prevalence of 27.3%. Another study on initiation into the illicit use of drugs among working schoolchildren between the ages of 6 and 13 years in public schools carried out in the capital cities of the Departments of Santa Cruz and Cochabamba and in the El Alto suburb of La Paz

revealed that 7.7% were occasional drug users and 0.3% were habitual users, although it was not determined whether there was dependency. The prevalence of drug use in these three cities is 6.28%. The figure for solvent abuse is 4.73%, followed by cocaine use at 1.47%, mainly cocaine paste which is smoked. The drugs most used are solvents in El Alto (13.6%); alcohol in Cochabamba (8.5%); and cocaine in Santa Cruz (1.9%).

202. Characteristics of drug users: consumption is higher among males than among females; use begins at between 8 and 10 years old; consumption increases with age; users come from large families and leave school early. It must be emphasized that the whole subject of the illicit use of drugs is usually linked with child exploitation and sexual exploitation, through the submergence of the children in the "underworld", which harbours them, as in the case of the street children and working children.

203. Because the problem is an intense one, DINAPRE is putting forward the following general proposals:

(a) Inter-institutional support and the backing of society for integral prevention;

(b) Provision of Regulations for the proper application of Act 1008;

(c) Work on the return to society of rehabilitated juveniles;

(d) Ongoing investigation of the social phenomena that give rise to the consumption of drugs and drug trafficking among juveniles.

3. Sexual exploitation and sexual abuse

Article 34 of the Convention

204. Sexual exploitation and sexual abuse are dealt with in articles 308, 309, 312, 313 and 321 of the Penal Code, which contain sanctions up to a maximum of 6 to 10 years imprisonment for the crimes of rape, indecent assault, kidnapping, corruption of juveniles and procuring. Despite these legal provisions, the whole problem of the sexual exploitation and sexual abuse of juveniles has increased considerably, as is apparent from the increase in the number of cases of rape and other sexual offences reported both to the National Police and to the regional juvenile offices.

205. With regard to sexual exploitation, the regional juvenile offices and the juvenile courts deal with specific cases that come to their knowledge, assuming responsibility for the protection of juveniles and referring those responsible for these offences to the ordinary courts. Because we lack any systematic study that would permit a real understanding of the whole problem, the National Board of Solidarity and Social Development has decided to make an analysis of the situation concerning girls and adolescents to provide guidance for future actions.

4. Sale, traffic in and abduction

Article 35 of the Convention

206. Article 334 of the Penal Code states: "Anyone who abducts a person for the purpose of obtaining ransom or any other illegal profit or concession for himself or others as the price of the victim's freedom shall be punished by a penalty ranging from 5 to 15 years of penal servitude. If as a result of the deed there should be serious physical harm to the victim or if the guilty person achieves his purpose, the penalty shall be from 15 to 30 years of penal servitude. Should the result be the death of the victim the penalty for murder shall apply." This provision is applicable to the abduction of juveniles.

207. The sale of children does not exist as a legal offence in our legislation. In practice, however, it is recognized by some organs of the press in statements to the effect that "sale" takes place very surreptitiously through the handing over of juveniles to foreign couples. None the less, such news items have not been supported by formal complaints that would permit intervention by legally competent institutions. The only case brought to the attention of the authorities led to the setting up of an inter-institutional legal commission proposed by the National Board of Solidarity and Social Development; that commission intervened as the claimant for criminal indemnification in the proceedings instituted which resulted in penal servitude for the guilty parties under the existing legislation.

208. Approval of the draft juvenile code, which contains more specific provisions on the matter, is proposed to fill the existing gaps in the law. While that draft code is in course of being approved, the authorities concerned are making efforts to control the departure abroad of juveniles, acting in conjunction with the National Board of Solidarity and Social Development, the Ministry of the Interior, Migration and Justice, and the Ministry of Foreign Affairs and Worship, which have made an analysis of the requirements and procedures for the departure of children abroad, identifying the machinery for coordination.

D. Children belonging to a minority or to an indigenous group

Article 30 of the Convention

209. Bolivia does not have laws in favour of minorities or indigenous groups. A protest march for territory and dignity held in 1990 was staged by the indigenous peoples of the Department of Beni, who succeeded in obtaining the promulgation by the Government of a series of provisions, including ownership of their lands and the undertaking that the logging companies would move out when their concession contracts expired. Many indigenous families have benefitted from these provisions, especially the children, whose right to life in their own cultural scene, to practice their own religion and to use their own language will have been preserved.

List of annexed documents*

1. Código del Menor - Decreto ley no. 12538 de 30 de mayo de 1975.

2. Proyecto del Código del Menor (febrero de 1992).

3. Estrategia social boliviana; CONAPSO, Ministerio de planeamiento y coordinación (septiembre de 1991).

4. Plan decenal de acción para la niñez boliviana; Presidencia de la Republica de Bolivia i Ministerio de planeamiento y coordinación (diciembre de 1991).

5. Plan nacional de supervivencia - desarollo infantil y salud materna. Manual de normas y procedimientos; Ministerio de previsión social y salud pública (1990).

6. Censo nacional de población y vivienda 1992 - Resultados preliminares; Ministerio de planeamiento y coordinación y Instituto nacional de estadistica (julio de 1992).

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* These documents may be consulted in a Spanish text supplied by the Government of Bolivia in the archives of the United Nations Centre for Human Rights.